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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,526	11/05/2003	Steve J. Pick	T0196.0000/P001	5934
24998	7590	01/25/2005	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP			VY, HUNG T	
2101 L Street, NW			ART UNIT	
Washington, DC 20037			PAPER NUMBER	
			2821	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/700,526

Applicant(s)

PICK, STEVE J.

Examiner

Hung T Vy

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,9,11-15 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 3-8,10,16 and 17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>02/04/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Acknowledges

1. Receipt is acknowledged of the following items from the Applicant.

Information Disclosure Statement (IDS) filed on 03/29/2004 and 04/02/2004. The references cited on the PTOL 1449 form have been considered.

Specification

2. The specification has been checked to the extent necessary to determine the presence of possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 9, 11-15 and 18-20 are rejected under 35 U. S. C. § 102 (b) as being anticipated by Hsieh, U.S. Patent. No. 5,459,476.

Regarding claims 1, 12 and, Hsieh discloses an antenna mount comprising: a U-shaped support frame having a front portion 11, a back portion 11, and a bottom portion

Art Unit: 2821

10 connected between the front and back portions, the bottom portion having a concave seat 14 formed centrally on the interior surface of the U-shaped frame; and a rotator element 20 pivotably supported between the front portion and the back portion of the U-shaped frame, the rotator element 20 including a pendulum portion extending 26,24 between the front and back portions, a spring-biased 22 piston 23 provided at the bottom of the pendulum portion, wherein the piston 23 is spring biased to be securely engaged in the seat 14 when the pendulum portion is in parallel alignment with the front and back portions of the U-shaped frame, and a connector 26 for receiving and engaging an antenna (see fig. below).

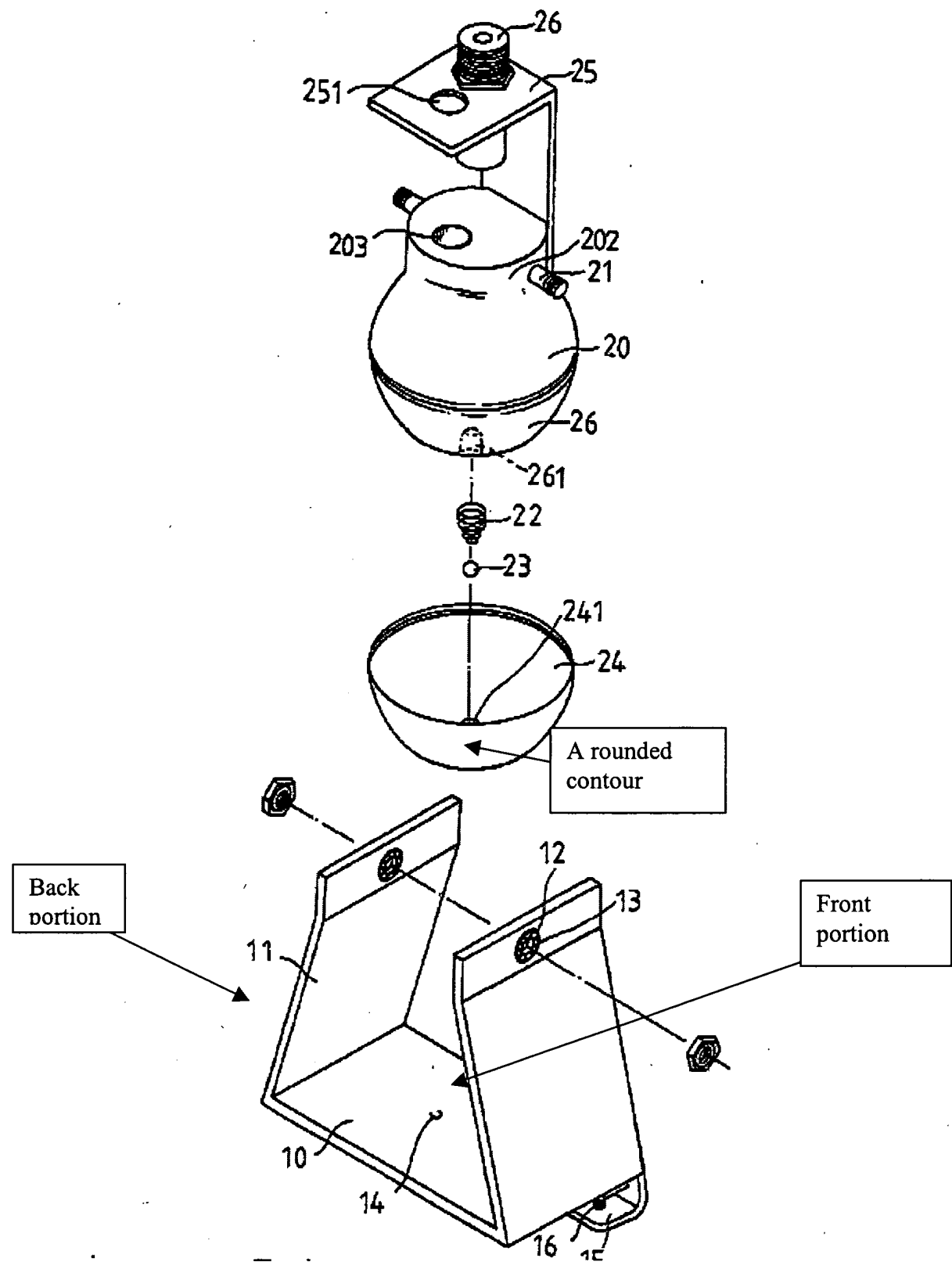
Regarding claim 2, Hsieh discloses the pendulum portion has a rounded contour at its bottom end (See below).

Regarding claim 9, Hsieh discloses the rotator element is rotatable either clockwise or counterclockwise (See fig. 3).

Regarding claim 11, it is inherent that the antenna mount is suitable for use with military antennas because Hsieh discloses antenna of a motor vehicle (see column 1, line 5-10).

Regarding claims 13-15, Hsieh discloses the bottom of the pendulum portion on which the piston 23 is provided has a rounded contour (see figure below) and wherein the rotator element is rotatable both the clockwise and counterclockwise around the pivot shaft 21 (See fig. 1 and 3).

Regarding claims 18-20, Hsieh discloses the back plate is configured to be attachable to a bracket (15) for mounting on a military vehicle, the antenna mounting



Art Unit: 2821

portion 26 of the rotator element includes a threaded threshold 26 for engaged receiving an antenna (See fig. 2).

Allowable Subject Matter

4. Claims 3-8, 10 and 16-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, since the prior art of record and considered pertinent to the applicant's disclosure does not teach or suggest the claimed **the rotator element is shaped as an upside-down "L", a first bore formed centrally through the length thereof, a second bore formed perpendicularly to and intersecting the first bore.**

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Vy whose telephone number is (571) 272-1954. The examiner can normally be reached on Monday-Friday 8:30 am - 5:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax numbers for the

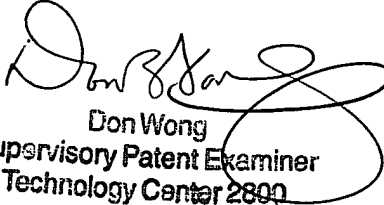
Art Unit: 2821

organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 308-7722 for After Final communications.

Information regarding the status of an application may be obtained from the patent Application Information Retrieval (PAIR) system. Status information for published application may be obtained from either private Pair or Public Pair. Status information for unpublished applications is available through Private Pair only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hung T. Vy
Art Unit 2828

January 7, 2005


Don Wong
Supervisory Patent Examiner
Technology Center 2800